

Application No. 09/703,869
Amendment under 37 C.F.R. §1.111 dated May 2, 2005
Response to the Office Action of December 2, 2004

REMARKS

Claims 1 – 6 remain pending in the present application. The rejections set forth in the Office Action are respectfully traversed below.

Rejections under 35 U.S.C. §112, Second Paragraph

Claims 2 and 4 – 6 remain rejected under 35 U.S.C. §112, second paragraph. The claims were amended above to clarify the present invention, especially as to how “print data” is read and stored, as well as to address the issues identified in the Office Action under §112, second paragraph.

The Prior Art Rejections

Claims 1 and 3-6 remain rejected under 35 USC §103 over **Suzuki** (USP 6,213,652 - assigned to Fuji Xerox) in view of **Schoenzeit et al.** (USP 5,619,624).

In applicant’s previous arguments (see page 7 of July 9, 2004 Amendment), it was stated that “in the print device described in **Suzuki**, the acceptance section 201 has the spool for storing document data of the accepted print document.” The applicant asserted that the claimed invention is different because the claimed processor has both a spool file storing unit AND a print data storing unit which stores the print data of the accepted print job.

In response, the Examiner asserted that **Suzuki** is not limited to having just one “memory” (i.e., the spool file memory used by the job acceptance section 201). The Examiner stated that “the job control section must have (inherent) a storage for storing the print job to

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prevent the print job from being lost during the unifying process.” According to the Examiner, the “unifying process” is the disclosure at column 41, lines 55-50 allegedly disclosing the job acceptance section as unifying various types of format of the received print job before passing the unified format print job to the job control section.

However, the specified portion of **Suzuki** does not explicitly state using memory to unify the various types of formats of print jobs. For at least this reason, the present claimed invention patentably distinguishes over the prior art.

Nevertheless, even if memory was used in the manner alleged by the Examiner, for the sake of argument, it is unclear how this would meet the present claimed features of the processing unit. As explained before (e.g., on page 6 of the July 9, 2004 Amendment), claim 1 recites a processor that starts storing the print data in the print data storing unit at the same time it supplies the print data to the device control filter. In particular, claim 1 recites “wherein said processing unit starts writing said print data to said spool file storing unit in accordance with said print request command, when it starts storing said print data in said print data storing unit.” This claimed feature reduces the time between receipt of a print job to the start of the requested printing. This claimed feature also allows for expedited recovery for re-printing even when a problem occurs on the printer’s side.

As to this feature, the Office Action relied on the disclosures in **Suzuki** at column 46, lines 1-10; Fig. 31; col. 4, lines 10-20; col. 44, lines 1-6 and 37-45; col. 41, lines 55-67) as allegedly teaching “storing the document of a print job in the printer queue while the system is

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receiving the print job; note, before the print job is stored in the queue, it must be stored in a spool/memory in the job acceptance section.” See, page 5 of the Office Action.

However, the specified portions of **Suzuki** do not appear to support the Examiner’s interpretation. First, Figure 3 of **Suzuki** describes an acceptance-completion type sequential processing determination at step S112. When the print job request indicates acceptance-completion type sequential processing, the print job is stored in a spool queue at step S113 until all the documents are completely accepted at step S114. Only after all the documents are completely accepted, then the print job is sent to a particular printer queue for printing. This acceptance-completion type sequential processing appears to relate to the prior art described in Figure 1 of the present application in which the entire print job must be completely written into the print data storing unit 5 before a print request command is sent to the lp print unit service 6 to transfer the print data into the spool file 7. Such disclosures do not disclose the claimed feature “wherein said processing unit starts writing said print data to said spool file storing unit in accordance with said print request command, when it starts storing said print data in said print data storing unit.” For at least these reasons, the present claimed invention patentably distinguishes over the prior art.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney to arrange for an interview to expedite the disposition of this case.

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If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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Enclosure: Petition for Extension of Time